

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, ex rel.,  
TIM GREEN,

Plaintiff,

v.

AMTECH, LLC, a Delaware  
Corporation; 3TEX, INC., a  
Delaware Corporation; BLACKFORD  
CAPITAL ASSOCIATES, LLC, a  
California Corporation;  
COMPOSITES CONSOLIDATION  
COMPANY, LLC, a Delaware  
Corporation; UNIVERSITY OF  
DELAWARE, a Private Trust; DOUG  
CHRISTIE, an Individual; KIM  
BRAZELL, an Individual; BILL  
BUSHBAUM, an Individual; KEN  
O'HERRON, an Individual; MARTIN  
STEIN, an Individual; ANTHONY  
KIEHN, an Individual; and  
GREGORY STONE, an Individual,

Defendants.

No. CV-10-3022-EFS

**ORDER GRANTING RELATOR'S MOTION TO  
DISMISS FRAUD CLAIMS WITHOUT  
PREJUDICE, AND AMENDING CAPTION**

Before the Court, without oral argument, is Relator Tim Green's Motion to Dismiss Fraud Claims without Prejudice, ECF No. 27. Because the United States of America declined to intervene in this lawsuit, the Relator asks the Court to dismiss without prejudice the claims that he brought on behalf of the United States in this lawsuit. On

1 April 15, 2013, the United States consented to the Relator's motion.  
2 ECF No. 28. After reviewing the record and related authority, the  
3 Court finds good cause to grant the motion to dismiss.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. Mr. Green's Motion to Dismiss Fraud Claims Without  
6 Prejudice, **ECF No. 27**, is **GRANTED**.

7 2. The only remaining claims in this lawsuit are those  
8 asserted by Mr. Green: 1) violation of 31 U.S.C. §  
9 3730(h), and 2) wrongful retaliatory termination in  
10 violation of Washington's public policy.

11 3. The caption shall be amended as follows:

12 TIM GREEN,

13 Plaintiff,

14 v.

15 AMTECH, LLC, a Delaware Corporation; 3TEX, INC.,  
16 a Delaware Corporation; BLACKFORD CAPITAL  
17 ASSOCIATES, LLC, a California Corporation;  
18 COMPOSITES CONSOLIDATION COMPANY, LLC, a Delaware  
19 Corporation; UNIVERSITY OF DELAWARE, a Private  
20 Trust; DOUG CHRISTIE, an Individual; KIM BRAZELL,  
an Individual; BILL BUSHBAUM, an Individual; KEN  
O'HERRON, an Individual; MARTIN STEIN, an  
Individual; ANTHONY KIEHN, an Individual; and  
GREGORY STONE, an Individual,

21 Defendants.

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IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to counsel and the U.S. Attorney's Office.

**DATED** this 16<sup>th</sup> day of April 2013.

s/ Edward F. Shea  
EDWARD F. SHEA  
Senior United States District Judge